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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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ANGEL TORRES,

Petitioner,

v.

DWIGHT NEVEN, et al.,

Respondents.

Case No. 2:16-cv-00443-GMN-CWH

ORDER

This *pro se* habeas matter comes before the Court on petitioner's motion to withdraw his petition (ECF No. 59). The Court construes the motion as a motion for voluntary dismissal. Respondents do not oppose. (ECF No. 61). Petitioner has not filed a reply, and the time for doing so has expired.

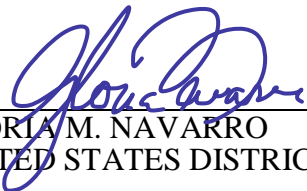
Once the respondent has filed an answer, as respondents have done in this case, a petitioner may voluntarily dismiss his petition only by stipulation of the parties or pursuant to an order of the court. Fed. R. Civ. P. 41(a)(2). Because respondents have not opposed petitioner's voluntary dismissal and because it is clear from the motion that petitioner understands there are potential legal consequences that may arise from dismissing his petition, the Court sees no reason to deny petitioner's request. Accordingly, petitioner's motion for voluntary dismissal (ECF No. 59) will be granted.

1 In accordance with the foregoing, petitioner's motion for voluntary dismissal (ECF No. 59)  
2 is granted, and the petition for writ of habeas corpus in this case is dismissed.

3 It is further ordered that the Clerk of Court shall enter final judgment accordingly and close  
4 this case.

5 IT IS SO ORDERED.

6 DATED THIS 14 day of February, 2019.

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9 GLORIA M. NAVARRO  
10 UNITED STATES DISTRICT JUDGE  
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